

FORM SUMMARY

Name of Form:	Petition for Certificate of Descent/Judgment Determining Descent
Form Number:	PR-1945 (previously PR-1455)
Statutory Reference:	§867.05, Wisconsin Statutes
Benchbook Reference:	PR 8-12
Purpose of Form:	<p>To seek a determination of the heirs and their rights in the property of the decedent. It may be used when:</p> <ul style="list-style-type: none">• The decedent died intestate;• More than 6 years have passed since the death; and,• No estate administration has taken place.
Who Completes It:	Petitioner or attorney.
Distribution of Form:	Original to court.
Accompanying Forms:	Generally none. Although the certificate can accompany
New Form/Modification:	Modification; last update 4/94.
Modifications:	Reformatted and updated to comply with statutes.
Comments:	<p>The distinction between using a “certificate” or “judgment” is based on whether a notice of hearing has been given. If the court is satisfied who the heirs are and what their interests are so that a notice of hearing is not needed, a certificate is issued. If the court believes notice of hearing is needed before such a determination can be made, a judgment is issued following the hearing.</p>
About this form:	<p>This form is the product of the Wisconsin Records Management Committee, a committee of the Director of State Court's Office and a mandate of the Wisconsin Judicial Conference.</p> <p>If you have additional information that does not change the meaning of the form, attach it on a separate page. The form itself shall not be altered.</p>